

Docket No.: POUSTKA-2
Serial No.: 09/880,688

REMARKS

This is a response the Official Action dated March 15, 2005. Reconsideration of the application in view of the amendments and remarks herein are respectfully requested. With regard to the Examiner's requirement for restriction, applicant has provisionally elected Group I for further examination. Group I as presently in the application covers claims 37-53 and 54-74. These claims correspond fully to former claims 1-10 and 15-26 (now cancelled) as determined by the Examiner to comprise Group I.

Claims 11-14 and 27-36 are currently withdrawn as being directed to the non-elected Group II. Applicant hereby reserves the right to file a divisional application or to take such other appropriate measures as deemed necessary to protect the invention of Group II.

As to the species selection, applicant submitted a selection of claims, which the Examiner now requests to be further expanded. The Examiner was consulted as to the expansion of the claims. During the telephone discussion on March 31 with the undersigned, the Examiner confirmed that with respect to the election of species, listing of the generic claim plus all claims dependent thereon would be in compliance with the request. The Examiner also confirmed that if a generic claim was granted, applicant was entitled to consideration of claims to additional species.

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In response to this requirement applicant herewith submits the listing of claims reading on the respective species.

Subgroup 1: species of support: polystyrene - claims 37, 38, 39, 40, 43, 44, 46, 47, 48, 49, 50, 51, 52, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 69, 70, 71;

Subgroup 2: species of monomer: amino acid (Fmoc protected) – claims 50, 51, 67, 68, 72;

Subgroup 3 species substances: amino acid (Fmoc protected) – claims 50, 51, 67, 68;

Subgroup 4 species matrix: diphenyl formamide - claims 37, 38, 39, 40, 41, 42, 43, 44, 46, 47, 48, 49, 50, 52, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71;

Subgroup 5 species first solvent: diphenyl formamide - claims 37, 38, 39, 40, 41, 42, 43, 44, 46, 47, 48, 49, 50, 52, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71;

Subgroup 6 species transport unit: solid particles - claims 37, 38, 39, 40, 43, 44, 46, 47, 48, 49, 50, 51, 52, 55, 56, 59;

Subgroup 7 species second solvent: dimethyl formamide – claims 74;

Subgroup 8 species temperature: printing of particles (22° C) - claims 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71;

Subgroup 8 species temperature: melting of toner particles for coupling reaction to ensue (80° C) - claim 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47,

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48, 50, 51, 52, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69,
70, 71;

Subgroup 9 species printing method: laser printer – claims 45, 62;

Subgroup 10 species light source: light emitting diodes - claim 47, 64;

Subgroup 11 species element: preliminary stages of D or L amino acids -
claims 50, 67;

Subgroup 12 species protecting group: Fmoc - claims 52;

Subgroup 13 species application: applied in solid state of aggregation -
claim 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 55, 56,
57, 58, 59, 60, 61, 62, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67,
68, 69, 70, 71;

Subgroup 14 species particle size: 10 μ m – claims 40, 41, 57, 59;

It is believed that the above identification of claims fulfills the Examiner's request for all claims which are reading on a selected one of the listed species. Since applicant has fully and completely responded to the Official Action and has made the required election, this application is now in order for early action.

As noted by the Examiner, upon the allowance of a generic claim, applicant will be entitled to consideration of claims to additional species, provided that all claims to all additional species are written in dependent form or otherwise include all the limitations of an allowed generic claim as provided by 37 C.F.R. §1.141.

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Applicant has also amended claims 43, 50 and 51 to make minor formal corrections.

Applicant believes that the above fulfills the requirement as set forth by the Examiner. However should there be any omissions, the Examiner is respectfully requested to notify the undersigned by phone.

The Commissioner is hereby authorized to charge any fees which may be required or credit any overpayment to Deposit Account No.06-0502.

Respectfully submitted,

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